

**Commonwealth of Kentucky  
Environmental and Public Protection Cabinet  
Department for Environmental Protection  
Division for Air Quality  
803 Schenkel Lane  
Frankfort, Kentucky 40601  
(502) 573-3382**

**Final**

**AIR QUALITY PERMIT  
Issued under 401 KAR 52:030**

**Permittee Name:** Delta Air Lines, Inc.  
**Mailing Address:** P.O. Box 75027  
Cincinnati, OH 45275

**Source Name:** Delta Air Lines, Inc. Cincinnati/Northern  
Kentucky International Airport Operations  
**Mailing Address:** P.O. Box 75027  
Cincinnati, OH 45275

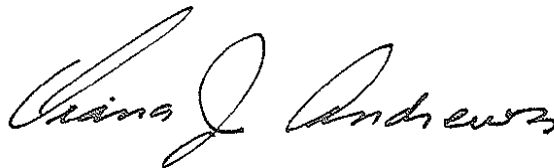
**Source Location:** 3087 B Terminal Drive  
Hebron, KY 41048

**Permit Number:** F-06-018  
**Source A. I. #:** 171  
**Activity #:** APE20040001  
**Review Type:** Conditional Major  
**Source ID #:** 21-015-00062

**Regional Office:** Florence Regional Office  
8020 Veterans Memorial Drive, Suite 110  
Florence, KY 41042  
(859) 525-4923

**County:** Boone

**Application**  
**Complete Date:** August 24, 2001  
**Issuance Date:** July 11, 2006  
**Revision Date:**  
**Expiration Date:** July 11, 2011



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**John S. Lyons, Director  
Division for Air Quality**

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## **SECTION A - PERMIT AUTHORIZATION**

Pursuant to a duly submitted application the Kentucky Division for Air Quality hereby authorizes the operation of the equipment described herein in accordance with the terms and conditions of this permit. This permit has been issued under the provisions of Kentucky Revised Statutes Chapter 224 and regulations promulgated pursuant thereto.

The permittee shall not construct, reconstruct, or modify any affected facilities without first having submitted a complete application and receiving a permit for the planned activity from the permitting authority, except as provided in this permit or in 401 KAR 52:030, Federally-enforceable permits for non-major sources.

Issuance of this permit does not relieve the permittee from the responsibility of obtaining any other permits, licenses, or approvals required by this Cabinet or any other federal, state, or local agency.

## **SECTION B – EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS**

### **01 (MS01) Miscellaneous Chemical Usage**

(includes solvent usage, spray gun cleaning operations, touch-up coating/painting operations, and miscellaneous material usage). No control equipment other than the paint filters for particulate control of the paint booth.

### **APPLICABLE REGULATIONS:**

401 KAR 59:010, New Process Operations

401 KAR 63:020, Potentially Hazardous Matter or Toxic Substances.

#### **1. Operating Limitations:**

Refer to Section D.

#### **2. Emission Limitations:**

- a. Pursuant to 401 KAR 59:010, Section 3(1)(b), visible emission from operations in the paint booth shall not equal or exceed twenty (20) percent opacity, nor shall emissions remain visible beyond the lot line of the property on which the emission originates.
- b. Pursuant to 401 KAR 59:010, Section 3(2), particulate emissions from operations in the paint booth shall not exceed 2.34 lbs/hour.
- c. Refer to Section D.

### **Compliance Demonstration Method:**

- a. To ensure compliance with 401 KAR 59:010, the permittee shall demonstrate that:
  - i) All particulate filters of spray booths are in place and functional.
  - ii) The spray booths are operated in accordance with the manufacturer's recommendations.
- b. Particulate emissions shall be considered to meet limitations in 2(a) and (b) above when the spray booth filters are in place and in good condition.
- c. Refer to Section D.

#### **3. Testing Requirements:**

None

#### **4. Specific Monitoring Requirements:**

Refer to Section D.

#### **5. Specific Recordkeeping Requirements:**

Refer to Section D.

#### **6. Specific Reporting Requirements:**

- a. Refer to Section D.
- b. Refer to Sections F.5 and F.6.

**SECTION B – EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)**

**7. Specific Control Equipment Operating Conditions:**

Refer to Section D.

**8. Alternate Operating Scenarios:**

None

**SECTION B - EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)****02 (4069) 25,000 gallon (94.6 m<sup>3</sup>) Underground Gasoline Storage Tank**

Date Commenced: 1/1/93

**APPLICABLE REGULATIONS:**

401 KAR 59:175, New Service Stations

401 KAR 59:050, New Storage Vessels for Petroleum Liquids

**1. Operating Limitations:**

- a. Pursuant to 401 KAR 59:175, Section 3(1), the permittee shall install, maintain, and operate a submerged fill pipe; a vent line restriction; a vapor balance system and vapor tight connections on the liquid fill line and the vapor return line; and a gauge well drop tube.
- b. Pursuant to 401 KAR 59:175, Section 3(3), the owner or operator shall not allow any transport vehicle to deliver fuel until the transport vehicle is properly connected to the vapor balance system.
- c. Pursuant to 401 KAR 59:050, Section 3(2), the storage vessel shall be equipped with a permanent submerged fill pipe.

**2. Emission Limitations:**

None

**3. Testing Requirements:**

None

**4. Specific Monitoring Requirements:**

The owner or operator shall maintain the following documents:

- a. A log of the quantity of gasoline delivered to the facility during each month.
- b. Records of the annual average monthly gasoline throughput to demonstrate that it is equal to or less than 25,000 gallons per month.

**5. Specific Recordkeeping Requirements:**

a. The owner or operator shall maintain the following documents:

- i. A log of the quantity of gasoline delivered to the facility during each month.
  - ii. Records of the annual average monthly gasoline throughput to demonstrate that it is equal to or less than 25,000 gallons per month.
- b. Refer to Section F.2 regarding retention time of records.

**6. Specific Reporting Requirements:**

Refer to Sections F.5 and F.6.

**7. Specific Control Equipment Operating Conditions:**

None

**8. Alternate Operating Scenarios:**

None

**SECTION B - EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)****03 (2081) Hangar Mechanical Room Boiler**

Primary fuel: Natural gas

Rated capacity: 10.461 mmBtu/hr

Date constructed: November 01, 1989

**APPLICABLE REGULATIONS:**

401 KAR 59:015, New Indirect Heat Exchangers (applicable to an emission unit with a capacity less than 250 MMBTU/hr and commenced on or after April 9, 1972).

401 KAR 60:005, incorporating by reference 40 CFR 60, Subpart Dc, Standards of Performance for Industrial-Commercial-Institutional Steam Generating Units with a heat input capacity of 29 MW (100 mmBtu/hr) or less and 2.9 MW (10 mmBtu/hr) or greater which commenced construction, modification, or reconstruction after June 9, 1989.

**1. Operating Limitations:**

None

**2. Emission Limitations:**

- a. Pursuant to 401 KAR 59:015, Section 4(1)(c), particulate emissions from Emission Point 03 shall not exceed 0.46 lb/mmBtu.
- b. Pursuant to 401 KAR 59:015, Section 5(1)(c), sulfur dioxide emissions from Emission Point 03 shall not exceed 2.10 lb/mmBtu.
- c. Pursuant to 401 KAR 59:015, Section 4(2), the opacity of visible emissions from Emission Point 03 shall not exceed twenty (20) percent.

***Compliance Demonstration Method:***

This unit is considered to be in compliance with the allowable PM, opacity, and SO<sub>2</sub> limitations while burning natural gas.

**3. Testing Requirements:**

None

**4. Specific Monitoring Requirements:**

None

**5. Specific Recordkeeping Requirements:**

- a. The permittee shall record and maintain records of the amount of natural gas combusted during each day in accordance with Regulation 40 CFR 60, Subpart Dc. Compliance is demonstrated by total amount of natural gas combusted each month divided by the number of days that month.
- b. Refer to Section F.2 regarding retention time of records.

**6. Specific Reporting Requirements:**

None

**7. Specific Control Equipment Operating Conditions:**

None

**8. Alternate Operating Scenarios:**

None

**SECTION B - EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)****04 (4080) 1000 kW Diesel-Fired Emergency Generator**

<b><u>APPLICABLE REGULATIONS:</u></b>		<b>None</b>
<b>1.</b>	<b><u>Operating Limitations:</u></b>	None
	<b>Compliance Demonstration Method:</b>	None
<b>2.</b>	<b><u>Emission Limitations:</u></b>	None
<b>3.</b>	<b><u>Testing Requirements:</u></b>	None
<b>4.</b>	<b><u>Specific Monitoring Requirements:</u></b>	None
<b>5.</b>	<b><u>Specific Recordkeeping Requirements:</u></b>	None
<b>6.</b>	<b><u>Specific Reporting Requirements:</u></b>	None
<b>7.</b>	<b><u>Specific Control Equipment Operating Conditions:</u></b>	None
<b>8.</b>	<b><u>Alternate Operating Scenarios:</u></b>	None



**SECTION C - INSIGNIFICANT ACTIVITIES**

The following listed activities have been determined to be insignificant activities for this source pursuant to 401 KAR 52:030, Section 6. While these activities are designated as insignificant the permittee must comply with the applicable regulation and some minimal level of periodic monitoring may be necessary.

<b>Description of Activity Including Rated Capacity</b>	<b>Generally Applicable Regulation Or State Origin Requirements</b>
Delta ID 2113 - Water heater; 3.08 mmBtu/hr; natural gas.	401 KAR 59:015
Delta ID 2115 - Boiler; 2.60 mmBtu/hr; natural gas.	401 KAR 59:015
Delta ID 2120 - Water heater; 0.05 mmBtu/hr; natural gas.	
Delta ID 4062 - Water heater; 1.00 mmBtu/hr; natural gas.	401 KAR 59:015
Delta ID 4063 - Fifty-two (52) radiant heaters; natural gas (less than 1.0 mmBtu/hr each).	
Delta ID 4065 - Portable aqueous washer with diesel-fueled water heater (less than 1.0 mmBtu/hr).	
Delta ID 4066 - Portable aqueous washer with diesel-fueled water heater (less than 1.0 mmBtu/hr).	
Delta ID 4072 - Water heater; 0.075 mmBtu/hr; natural gas.	
Delta ID 4229 - Natural gas fired washing unit (less than 1.0 mmBtu/hr).	
Delta ID 4276 - Boiler; 2.396 mmBtu/hr, natural gas-fired.	401 KAR 59:015
Delta ID 4495 - Portable aqueous washer with kerosene-fueled water heater (less than 1.0 mmBtu/hr).	
Delta ID 4850 - Portable aqueous washer with diesel-fueled water heater (less than 1.0 mmBtu/hr).	
Delta ID 6186 - Portable aqueous washer with diesel/kerosene-fueled water heater (less than 1.0 mmBtu/hr).	
Delta ID 2085 - Emergency generator; 250 kW, diesel-fueled.	
Delta ID 2111 - Fire pump #8; 266 hp, diesel-fueled.	
Delta ID 2127 - Fire pump #7; 266 hp, diesel-fueled.	
Delta ID 2128 - Fire pump #6; 266 hp, diesel-fueled.	
Delta ID 2129 - Fire pump #5; 266 hp, diesel-fueled.	
Delta ID 2130 - Fire pump #4; 266 hp, diesel-fueled.	
Delta ID 2131 - Fire pump #3; 266 hp, diesel-fueled.	
Delta ID 2132 - Fire pump #2; 266 hp, diesel-fueled.	
Delta ID 2133 - Fire pump #1; 266 hp, diesel-fueled.	
Delta ID 4081 - Emergency pump; 253 hp, diesel-fueled.	
Delta ID 4082 - Emergency generator; 200 kW, diesel-fueled.	
Delta ID 4490 - Emergency generator; 300 kW, diesel-fueled.	
Delta ID 4493 - Emergency generator; 300 kW, diesel-fueled.	

**SECTION C - INSIGNIFICANT ACTIVITIES (CONTINUED)**

The following listed activities have been determined to be insignificant activities for this source pursuant to 401 KAR 52:030, Section 6. While these activities are designated as insignificant the permittee must comply with the applicable regulation and some minimal level of periodic monitoring may be necessary.

<b>Description of Activity Including Rated Capacity</b>	<b>Generally Applicable Regulation Or State Origin Requirements</b>
Delta ID 2097 - Abrasive blaster with built-in dust collector.	401 KAR 59:010
Delta ID 4277 - Aqueous parts cleaner.	
Delta ID 4278 - Bolt coating drum.	
Delta ID 4453 - Aqueous parts cleaner.	
Delta ID 4485 - Aqueous parts cleaner.	
Delta ID 6192 - Fuel and oil filter crushing unit.	
Delta ID 4799 - Cold cleaner.	401 KAR 59:185
Delta ID 4823 - Cold cleaner.	401 KAR 59:185
Delta ID 2099 - Storage tank, 20,000 gal, aboveground, used to store glycol-based de-icing fluid.	
Delta ID 2121 - Storage tank, 20,000 gal, aboveground, used to store glycol-based de-icing fluid.	
Delta ID 3880 - Storage tank, 20,000 gal, aboveground, used to store glycol-based de-icing fluid.	
Delta ID 4071 - Storage tank, 1,000 gal, aboveground, used to store used oil.	401 KAR 59:050
Delta ID 4073 - Storage tank, 1,600,000 gal, aboveground, used to store jet fuel.	
Delta ID 4074 - Storage tank, 1,600,000 gal, aboveground, used to store jet fuel.	
Delta ID 4075 - Storage tank, 1,600,000 gal, aboveground, used to store jet fuel.	
Delta ID 4076 - Storage tank, 2,500 gal, aboveground, used to store jet fuel.	401 KAR 59:050
Delta ID 4077 - Storage tank, 2,000 gal, underground, used to store sump jet fuel.	401 KAR 59:050
Delta ID 4078 - Storage tank, 500 gal, aboveground, used to store sump jet fuel.	
Delta ID 4079 - Storage tank, 1,000 gal, aboveground, used to store sump jet fuel.	401 KAR 59:050
Delta ID 4080T – Storage tank, 250 gal, aboveground, used to store Jet A fuel for generator ID 4080	
Delta ID 4081T – Storage tank, 150 gal, aboveground, used to store Jet A fuel for pump ID 4081	
Delta ID 4204 - Oil/water separator, 15,000 gal, underground.	

**SECTION C - INSIGNIFICANT ACTIVITIES (CONTINUED)**

The following listed activities have been determined to be insignificant activities for this source pursuant to 401 KAR 52:030, Section 6. While these activities are designated as insignificant the permittee must comply with the applicable regulation and some minimal level of periodic monitoring may be necessary.

<b>Description of Activity Including Rated Capacity</b>	<b>Generally Applicable Regulation Or State Origin Requirements</b>
Delta ID 4208 - Storage tank, 500 gal, aboveground, used to store sump jet fuel.	
Delta ID 5962 - Storage tank, 650 gal, aboveground, used to store engine coolant.	
Delta ID 5963 - Storage tank, 650 gal, aboveground, used to store transmission fluid.	
Delta ID 5964 - Storage tank, 650 gal, aboveground, used to store hydraulic oil.	401 KAR 59:050
Delta ID 5965 - Storage tank, 650 gal, aboveground, used to store oil.	401 KAR 59:050
Delta ID 5966 - Storage tank, 3,000 gal, aboveground, used to store fire fighting foam.	
Delta ID 5967 - Storage tank, 3,000 gal, aboveground, used to store fire fighting foam.	
Delta ID 5968 - Storage tank, 3,000 gal, aboveground, used to store fire fighting foam.	
Delta ID 5969 - Storage tank, 3,000 gal, aboveground, used to store fire fighting foam.	
Delta ID 5971 - Oil/water separator, 5,075 gal, underground.	
Delta ID 5972 - Storage tank, 500 gal, aboveground, used to store oil.	
Delta ID 5994 - Storage tank, 2,500 gal, aboveground, used to store diesel fuel.	
Delta ID 6187 - Storage tank, 125 gal, aboveground, portable, used to store motor oil.	
Delta ID 6188 - Storage tank, 125 gal, aboveground, portable, used to store motor oil.	
Delta ID 6189 - Storage tank, 125 gal, aboveground, portable, used to store motor oil.	
Delta ID 6190 - Storage tank, 125 gal, aboveground, portable, used to store motor oil.	
Delta ID 6191 - Storage tank, 125 gal, aboveground, portable, used to store motor oil.	
Delta ID 6305 - Storage tank, 200 gal, aboveground, portable, used to store sump jet fuel.	
Delta ID 6323 - Storage tank, 340 gal, aboveground, used to store diesel for pump ID 2111.	

**SECTION C - INSIGNIFICANT ACTIVITIES (CONTINUED)**

The following listed activities have been determined to be insignificant activities for this source pursuant to 401 KAR 52:030, Section 6. While these activities are designated as insignificant the permittee must comply with the applicable regulation and some minimal level of periodic monitoring may be necessary.

<b>Description of Activity Including Rated Capacity</b>	<b>Generally Applicable Regulation Or State Origin Requirements</b>
Delta ID 6324 - Storage tank, 340 gal, aboveground, used to store diesel for pump ID 2127.	
Delta ID 6325 - Storage tank, 340 gal, aboveground, used to store diesel for pump ID 2128.	
Delta ID 6326 - Storage tank, 340 gal, aboveground, used to store diesel for pump ID 2129.	
Delta ID 6327 - Storage tank, 340 gal, aboveground, used to store diesel for pump ID 2130.	
Delta ID 6328 - Storage tank, 340 gal, aboveground, used to store diesel for pump ID 2131.	
Delta ID 6329 - Storage tank, 340 gal, aboveground, used to store diesel for pump ID 2132.	
Delta ID 6332 - Storage tank, 300 gal, aboveground, used to store diesel for emergency generator ID 2085.	
Delta ID 6334 - Storage tank, 100 gal, aboveground, used to store diesel for emergency generator ID 4082.	
Delta ID 6336 - Storage tank, 340 gal, aboveground, used to store diesel for pump ID 2133.	
Machining operations, including hand-held and table-top equipment.	401 KAR 59:010
Welding operations, including welding, soldering, and cutting equipment.	401 KAR 59:010
Delta ID 6541 – Storage tank, 20,000 gal, aboveground, used to store glycol-based deicing fluid	
Delta ID 6542 – Storage tank, 20,000 gal, aboveground, used to store glycol-based deicing fluid	
Delta ID 6568 – Storage tank, 20,000 gal, aboveground, used to store glycol-based deicing fluid	
Delta ID 6569 – Kleer-Flo AF250 antifreeze recycling machine	
Delta ID 6570 – Cold Cleaner – System One MDL 500	401 KAR 59:185

**SECTION D - SOURCE EMISSION LIMITATIONS AND TESTING REQUIREMENTS****APPLICABLE REGULATIONS:**

401 KAR 63:020, *Potentially hazardous matter or toxic substances*

**General Source Wide Conditions:**

1. As required by Section 1b of the *Cabinet Provisions and Procedures for Issuing Federally-Enforceable Permits for Non-Major Sources* incorporated by reference in 401 KAR 52:030 Section 10, compliance with annual emissions and processing limitations contained in this permit, shall be based on emissions and processing rates for any twelve (12) consecutive months.
2. Volatile Organic Compound (VOC), particulate and sulfur dioxide emissions, as measured by methods referenced in 401 KAR 50:015, Section 1, shall not exceed the respective limitations specified herein.
  - a. Facility-wide emissions from Delta Air Lines, Inc. (does not include ComAir) of volatile organic compounds (VOC) shall not exceed forty-five (45) tons during any consecutive twelve (12) month period. The facility-wide combined Hazardous Air Pollutant (HAP) emissions shall be less than eleven and one-quarter (11.25) tons and emissions of any single HAP shall be less than four (4.0) tons during any consecutive twelve (12) month period. (in order to preclude applicability of 401 KAR 52:020)
  - b. Pursuant to 401 KAR 63:020, Section 3, no owner or operator shall allow any affected facility to emit potentially hazardous matter or toxic substances in such quantities or duration as to be harmful to the health and welfare of humans, animals and plants.

***Compliance Demonstration Method:***

- a. To ensure compliance, the permittee shall demonstrate that the VOC/HAP emissions are below the facility-wide limits using the following equation:

$$\begin{aligned} \text{Monthly VOC/HAP emissions (lb)} &= \Sigma ([\text{Monthly material usage}^1] \times [\text{VOC/HAP} \\ &\text{content}^2] \times [\text{density}^3] \times [\text{conversion factor}^4]) \\ &+ (1/12) \times [\text{Potential annual VOC/HAP emissions from non-MS01 sources}^5] \end{aligned}$$

<sup>1</sup>Usage of each coating, solvent, thinner, or other VOC/HAP containing material (note: containerized waste may be subtracted to calculate the net monthly usage)

<sup>2</sup>VOC/HAP content of each material (weight fraction or lb/gal)

<sup>3</sup>Density of each material (used if VOC/HAP content given as weight fraction)

<sup>4</sup>Appropriate conversion factor (gallons/unit of usage)

<sup>5</sup>Potential annual VOC/HAP emissions from sources not included in the MS01

Compliance with the annual VOC/HAP emission limits shall be based on the rolling 12 month total. Within fifteen (15) days of the beginning of each month, the rolling 12-month totals shall be calculated for the past 12 months.

Usage rates, emission calculations, and model estimations for the respective emissions point shall be summarized as required by the Division.

**SECTION D - SOURCE EMISSION LIMITATIONS AND TESTING REQUIREMENTS (CONTINUED)**

- b. Specific records including usage and emissions of toxic air pollutants shall be made available for inspection at the request of the Division.

The permittee shall maintain records of the following:

1. Monthly records of usage of VOC/HAP containing materials.
2. The VOC/HAP content (weight fraction or lb/gal) of each material used.
3. Within 15 days of the end of each month, monthly and rolling 12 month summaries showing tons of VOC and HAPs emitted shall be prepared.
4. All purchase orders and invoices for materials containing VOC and HAPs shall be made available for inspection upon request by any duly authorized representatives of the Division for Air Quality.
5. All records including MSDS shall be retained for a period of five years.
6. Calculations used to determine the potential annual VOC/HAP emissions from non-MS01 sources (e.g., fuel-burning equipment, storage tanks).

## **SECTION E - SOURCE CONTROL EQUIPMENT REQUIREMENTS**

Pursuant to 401 KAR 50:055, Section 2(5), at all times, including periods of startup, shutdown and malfunction, owners and operators shall, to the extent practicable, maintain and operate any affected facility including associated air pollution control equipment in a manner consistent with good air pollution control practice for minimizing emissions. Determination of whether acceptable operating and maintenance procedures are being used will be based on information available to the Division which may include, but is not limited to, monitoring results, opacity observations, review of operating and maintenance procedures, and inspection of the source.

## **SECTION F - MONITORING, RECORD KEEPING, AND REPORTING REQUIREMENTS**

1. Pursuant to Section 1b (IV)(1) of the *Cabinet Provisions and Procedures for Issuing Federally-Enforceable Permits for Non-Major Sources* incorporated by reference in 401 KAR 52:030 Section 10, when continuing compliance is demonstrated by periodic testing or instrumental monitoring, the permittee shall compile records of required monitoring information that include:
  - a. Date, place (as defined in this permit), and time of sampling or measurements;
  - b. Analyses performance dates;
  - c. Company or entity that performed analyses;
  - d. Analytical techniques or methods used;
  - e. Analyses results; and
  - f. Operating conditions during time of sampling or measurement.
2. Records of all required monitoring data and support information, including calibrations, maintenance records, and original strip chart recordings, and copies of all reports required by the Division for Air Quality, shall be retained by the permittee for a period of five years and shall be made available for inspection upon request by any duly authorized representative of the Division for Air Quality [401 KAR 52:030 Section 3(1)(f)1a and Section 1a (7) of the *Cabinet Provisions and Procedures for Issuing Federally-Enforceable Permits for Non-Major Sources* incorporated by reference in 401 KAR 52:030 Section 10].
3. In accordance with the requirements of 401 KAR 52:030 Section 3(1)f the permittee shall allow authorized representatives of the Cabinet to perform the following during reasonable times:
  - a. Enter upon the premises to inspect any facility, equipment (including air pollution control equipment), practice, or operation;
  - b. To access and copy any records required by the permit;
  - c. Sample or monitor substances or parameters to assure compliance with the permit or any applicable requirements.Reasonable times are defined as during all hours of operation, during normal office hours, or during an emergency.
4. No person shall obstruct, hamper, or interfere with any Cabinet employee or authorized representative while in the process of carrying out official duties. Refusal of entry or access may constitute grounds for permit revocation and assessment of civil penalties.
5. Summary reports of any monitoring required by this permit, other than continuous emission or opacity monitors, shall be submitted to the Regional Office listed on the front of this permit at least every six (6) months during the life of this permit, unless otherwise stated in this permit. For emission units that were still under construction or which had not commenced operation at the end of the 6-month period covered by the report and are subject to monitoring requirements in this permit, the report shall indicate that no monitoring was performed during the previous six months because the emission unit was not in operation.



## **SECTION F - MONITORING, RECORD KEEPING, AND REPORTING REQUIREMENTS (CONTINUED)**

6. The semi-annual reports are due by January 30th and July 30th of each year. All reports shall be certified by a responsible official pursuant to 401 KAR 52:030 Section 22. All deviations from permit requirements shall be clearly identified in the reports.
7. In accordance with the provisions of 401KAR 50:055, Section 1 the owner or operator shall notify the Regional Office listed on the front of this permit concerning startups, shutdowns, or malfunctions as follows:
  - a. When emissions during any planned shutdowns and ensuing startups will exceed the standards notification shall be made no later than three (3) days before the planned shutdown, or immediately following the decision to shut down, if the shutdown is due to events which could not have been foreseen three (3) days before the shutdown.
  - b. When emissions due to malfunctions, unplanned shutdowns and ensuing startups are or may be in excess of the standards, notification shall be made as promptly as possible by telephone (or other electronic media) and shall be submitted in writing upon request.
8. The owner or operator shall report emission related exceedances from permit requirements including those attributed to upset conditions (other than emission exceedances covered by Section F.7 above) to the Regional Office listed on the front of this permit within 30 days. Other deviations from permit requirements shall be included in the semiannual report required by Section F.5. [Section 1b V(3) and (4) of the *Cabinet Provisions and Procedures for Issuing Federally-Enforceable Permits for Non-Major Sources* incorporated by reference in 401 KAR 52:030 Section 10].
9. Pursuant to 401KAR 52:030, Section 21, the permittee shall annually certify compliance with the terms and conditions contained in this permit by completing and returning a Compliance Certification Form (DEP 7007CC) (or an alternative approved by the regional office) to the Regional Office listed on the front of this permit in accordance with the following requirements:
  - a. Identification of each term or condition;
  - b. Compliance status of each term or condition of the permit;
  - c. Whether compliance was continuous or intermittent;
  - d. The method used for determining the compliance status for the source, currently and over the reporting period.
  - e. For an emissions unit that was still under construction or which has not commenced operation at the end of the 12-month period covered by the annual compliance certification, the permittee shall indicate that the unit is under construction and that compliance with any applicable requirements will be demonstrated within the timeframes specified in the permit.

## **SECTION F - MONITORING, RECORD KEEPING, AND REPORTING REQUIREMENTS (CONTINUED)**

- f. The certification shall be postmarked by January 30th of each year. **Annual compliance certifications should be mailed to the following addresses:**

Division for Air Quality  
Florence Regional Office  
8020 Veterans Memorial Drive, Suite 110  
Florence, KY 41042

Division for Air Quality  
Central Files  
803 Schenkel Lane  
Frankfort, KY 40601

10. In accordance with 401 KAR 52:030, Section 3(1)(d), the permittee shall provide the Division with all information necessary to determine its subject emissions within thirty (30) days of the date the KYEIS emission survey is mailed to the permittee. If a KYEIS emission survey is not mailed to the permittee, then the permittee shall comply with all other emission reporting requirements in this permit.
11. Results of performance test(s) required by the permit shall be submitted to the Division by the source or its representative within forty-five days, or sooner if required by an applicable standard, after the completion of the fieldwork.
12. The Cabinet may authorize the temporary use of an emission unit to replace a similar unit that is taken off-line for maintenance, if the following conditions are met:
- a. The owner or operator shall submit to the Cabinet, at least ten (10) days in advance of replacing a unit, the appropriate Forms DEP7007AI to DD that show:
    - i. The size and location of both the original and replacement units; and
    - ii. Any resulting change in emissions;
  - b. The potential to emit (PTE) of the replacement unit shall not exceed that of the original unit by more than twenty-five (25) percent of a major source threshold, and the emissions from the unit shall not cause the source to exceed the emissions allowable under the permit;
  - c. The PTE of the replacement unit or the resulting PTE of the source shall not subject the source to a new applicable requirement;
  - d. The replacement unit shall comply with all applicable requirements; and
  - e. The source shall notify Regional office of all shutdowns and start-ups.
  - f. Within six (6) months after installing the replacement unit, the owner or operator shall:
    - i. Re-install the original unit and remove or dismantle the replacement unit; or
    - ii. Submit an application to permit the replacement unit as a permanent change.

## SECTION G - GENERAL PROVISIONS

### (a) General Compliance Requirements

1. The permittee shall comply with all conditions of this permit. A noncompliance shall be a violation of 401 KAR 52:030 Section 3(1)(b) and is also a violation of Federal Statute 42 USC 7401 through 7671q (the Clean Air Act). Noncompliance with this permit is grounds for enforcement action including but not limited to the termination, revocation and reissuance, revision, or denial of a permit [Section 1a (2) of the *Cabinet Provisions and Procedures for Issuing Federally-Enforceable Permits for Non-Major Sources* incorporated by reference in 401 KAR 52:030 Section 10].
2. The filing of a request by the permittee for any permit revision, revocation, reissuance, or termination, or of a notification of a planned change or anticipated noncompliance, shall not stay any permit condition [Section 1a (5) of the *Cabinet Provisions and Procedures for Issuing Federally-Enforceable Permits for Non-Major Sources* incorporated by reference in 401 KAR 52:030 Section 10].
3. This permit may be revised, revoked, reopened and reissued, or terminated for cause in accordance with 401 KAR 52:030 Section 18. The permit will be reopened for cause and revised accordingly under the following circumstances:
  - a. If additional applicable requirements become applicable to the source and the remaining permit term is three (3) years or longer. In this case, the reopening shall be completed no later than eighteen (18) months after promulgation of the applicable requirement. A reopening shall not be required if compliance with the applicable requirement is not required until after the date on which the permit is due to expire, unless this permit or any of its terms and conditions have been extended pursuant to 401 KAR 52:030 Section 12;
  - b. The Cabinet or the U. S. EPA determines that the permit must be revised or revoked to assure compliance with the applicable requirements;
  - c. The Cabinet or the U. S. EPA determines that the permit contains a material mistake or that inaccurate statements were made in establishing the emissions standards or other terms or conditions of the permit.
4. Proceedings to reopen and reissue a permit shall follow the same procedures as apply to initial permit issuance and shall affect only those parts of the permit for which cause to reopen exists. Reopenings shall be made as expeditiously as practicable. Reopenings shall not be initiated before a notice of intent to reopen is provided to the source by the Division, at least thirty (30) days in advance of the date the permit is to be reopened, except that the Division may provide a shorter time period in the case of an emergency.
5. The permittee shall furnish information upon request of the Cabinet to determine if cause exists for modifying, revoking and reissuing, or terminating the permit; or to determine compliance with the conditions of this permit [Sections 1a (6) and (7) of the *Cabinet Provisions and Procedures for Issuing Federally-Enforceable Permits for Non-Major Sources* incorporated by reference in 401 KAR 52:030 Section 10].

**SECTION G - GENERAL PROVISIONS (CONTINUED)**

6. The permittee, upon becoming aware that any relevant facts were omitted or incorrect information was submitted in the permit application, shall promptly submit such supplementary facts or corrected information to the permitting authority [401 KAR 52:030 Section 7(1)].
7. Any condition or portion of this permit which becomes suspended or is ruled invalid as a result of any legal or other action shall not invalidate any other portion or condition of this permit [Section 1a (11) of the *Cabinet Provisions and Procedures for Issuing Federally-Enforceable Permits for Non-Major Sources* incorporated by reference in 401 KAR 52:030 Section 10].
8. The permittee shall not use as a defense in an enforcement action the contention that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance [Section 1a (3) of the *Cabinet Provisions and Procedures for Issuing Federally-Enforceable Permits for Non-Major Sources* incorporated by reference in 401 KAR 52:030 Section 10].
9. Except for requirements identified in this permit as state-origin requirements, all terms and conditions shall be enforceable by the United States Environmental Protection Agency and citizens of the United States [Section 1a (12)(b) of the *Cabinet Provisions and Procedures for Issuing Federally-Enforceable Permits for Non-Major Sources* incorporated by reference in 401 KAR 52:030 Section 10].
10. This permit shall be subject to suspension if the permittee fails to pay all emissions fees within 90 days after the date of notice as specified in 401 KAR 50:038 Section 3(6) [Section 1a (9) of the *Cabinet Provisions and Procedures for Issuing Federally-Enforceable Permits for Non-Major Sources* incorporated by reference in 401 KAR 52:030 Section 10].
11. Nothing in this permit shall alter or affect the liability of the permittee for any violation of applicable requirements prior to or at the time of permit issuance [401 KAR 52:030 Section 11(3)].
12. This permit does not convey property rights or exclusive privileges [Section 1a (8) of the *Cabinet Provisions and Procedures for Issuing Federally-Enforceable Permits for Non-Major Sources* incorporated by reference in 401 KAR 52:030 Section 10].
13. Issuance of this permit does not relieve the permittee from the responsibility of obtaining any other permits, licenses, or approvals required by the Cabinet or any other federal, state, or local agency.
14. Nothing in this permit shall alter or affect the authority of U.S. EPA to obtain information pursuant to Federal Statute 42 USC 7414, Inspections, monitoring, and entry.
15. Nothing in this permit shall alter or affect the authority of U.S. EPA to impose emergency orders pursuant to Federal Statute 42 USC 7603, Emergency orders.

## **SECTION G - GENERAL PROVISIONS (CONTINUED)**

16. This permit consolidates the authority of any previously issued PSD, NSR, or Synthetic minor source preconstruction permit terms and conditions for various emission units and incorporates all requirements of those existing permits into one single permit for this source.
17. Permit Shield – A permit shield shall not protect the owner or operator from enforcement actions for violating an applicable requirement prior to or at the time of permit issuance. Compliance with the conditions of this permit shall be considered compliance with:
  - a. Applicable requirements that are included and specifically identified in this permit; and
  - b. Non-applicable requirements expressly identified in this permit.
18. Emission units described in this permit shall demonstrate compliance with applicable requirements if requested by the Division [401 KAR 52:030 Section 3(1)(c)].
19. The authority to operate granted through this permit shall cease to apply if the source fails to submit additional information requested by the Division after the completeness determination has been made on any application, by whatever deadline the Division sets [401 KAR 52:030 Section 8(2)].

(b) Permit Expiration and Reapplication Requirements

This permit shall remain in effect for a fixed term of five (5) years following the original date of issue. Permit expiration shall terminate the source's right to operate unless a timely and complete renewal application has been submitted to the Division at least six months prior to the expiration date of the permit. Upon a timely and complete submittal, the authorization to operate within the terms and conditions of this permit, including any permit shield, shall remain in effect beyond the expiration date, until the renewal permit is issued or denied by the Division [401 KAR 52:030 Section 12].

(c) Permit Revisions

1. Minor permit revision procedures specified in 401 KAR 52:030 Section 14 (3) may be used for permit revisions involving the use of economic incentive, marketable permit, emission trading, and other similar approaches, to the extent that these minor permit revision procedures are explicitly provided for in the SIP or in applicable requirements and meet the relevant requirements of 401 KAR 52:030 Section 14 (2).
2. This permit is not transferable by the permittee. Future owners and operators shall obtain a new permit from the Division for Air Quality. The new permit may be processed as an administrative amendment if no other change in this permit is necessary, and provided that a written agreement containing a specific date for transfer of permit responsibility coverage and liability between the current and new permittee has been submitted to the permitting authority within ten (10) days following the transfer.

## **SECTION G - GENERAL PROVISIONS (CONTINUED)**

(d) Construction, Start-Up, and Initial Compliance Demonstration Requirements

No construction authorized by this permit

(e) Acid Rain Program Requirements

1. If an applicable requirement of Federal Statute 42 USC 7401 through 7671q (the Clean Air Act) is more stringent than an applicable requirement promulgated pursuant to Federal Statute 42 USC 7651 through 7651o (Title IV of the Act), both provisions shall apply, and both shall be state and federally enforceable.

(f) Emergency Provisions

1. Pursuant to 401 KAR 52:030 Section 23(1), an emergency shall constitute an affirmative defense to an action brought for noncompliance with the technology-based emission limitations if the permittee demonstrates through properly signed contemporaneous operating logs or other relevant evidence that:
  - a. An emergency occurred and the permittee can identify the cause of the emergency;
  - b. The permitted facility was at the time being properly operated;
  - c. During an emergency, the permittee took all reasonable steps to minimize levels of emissions that exceeded the emissions standards or other requirements in the permit; and,
  - d. The permittee notified the Division as promptly as possible and submitted written notice of the emergency to the Division within two (2) working days of the time when emission limitations were exceeded due to an emergency. The notice shall include a description of the emergency, steps taken to mitigate emissions, and the corrective actions taken.
2. Notification of the Division does not relieve the source of any other local, state or federal notification requirements.
3. Emergency conditions listed in General Provision G(f)1 above are in addition to any emergency or upset provision(s) contained in an applicable requirement [401 KAR 52:030 Section 23(3)].
4. In an enforcement proceeding, the permittee seeking to establish the occurrence of an emergency shall have the burden of proof[401 KAR 52:030 Section 23(2)].

## SECTION G - GENERAL PROVISIONS (CONTINUED)

### (g) Risk Management Provisions

1. The permittee shall comply with all applicable requirements of 401 KAR Chapter 68, Chemical Accident Prevention, which incorporates by reference 40 CFR Part 68, Risk Management Plan provisions. If required, the permittee shall comply with the Risk Management Program and submit a Risk Management Plan to:

RMP Reporting Center  
P.O. Box 1515  
Lanham-Seabrook, MD 20703-1515.

2. If requested, submit additional relevant information to the Division or the U.S. EPA.

### (h) Ozone depleting substances

1. The permittee shall comply with the standards for recycling and emissions reduction pursuant to 40 CFR 82, Subpart F, except as provided for Motor Vehicle Air Conditioners (MVACs) in Subpart B:
  - a. Persons opening appliances for maintenance, service, repair, or disposal shall comply with the required practices contained in 40 CFR 82.156.
  - b. Equipment used during the maintenance, service, repair, or disposal of appliances shall comply with the standards for recycling and recovery equipment contained in 40 CFR 82.158.
  - c. Persons performing maintenance, service, repair, or disposal of appliances shall be certified by an approved technician certification program pursuant to 40 CFR 82.161.
  - d. Persons disposing of small appliances, MVACs, and MVAC-like appliances (as defined at 40 CFR 82.152) shall comply with the recordkeeping requirements pursuant to 40 CFR 82.166.
  - e. Persons owning commercial or industrial process refrigeration equipment shall comply with the leak repair requirements pursuant to 40 CFR 82.156.
  - f. Owners/operators of appliances normally containing 50 or more pounds of refrigerant shall keep records of refrigerant purchased and added to such appliances pursuant to 40 CFR 82.166.
2. If the permittee performs service on motor (fleet) vehicle air conditioners containing ozone-depleting substances, the source shall comply with all applicable requirements as specified in 40 CFR 82, Subpart B, *Servicing of Motor Vehicle Air Conditioners*.

**SECTION H - ALTERNATE OPERATING SCENARIOS**

Not Applicable



**SECTION I - COMPLIANCE SCHEDULE**

Not Applicable